

OLC 76-1982

20 July 1976

MEMORANDUM FOR: Addressees Below

FROM: General Counsel
Legislative Counsel

SUBJECT: Revision of the National Security Act of 1947
and the Central Intelligence Agency Act of 1949

1. In anticipation of a sweeping review of the CIA's charter legislation (National Security Act of 1947 and CIA Act of 1949) by the Senate Select Committee on Intelligence, the Office of General Counsel and the Office of Legislative Counsel have initiated a joint effort to pull together our thoughts about our basic statutory authorities and determine what legislative proposals we could recommend or support.

2. We request that the various components in your Directorate or Office review the statutory authorities on which they rely in performing their functions, with a view toward:

- a. identifying those areas where statutory authority should be supplemented;
- b. identifying those areas where existing statutory authority is superfluous;
- c. identifying those areas where some change in existing statute is desirable for one reason or another.

We are attempting to develop the best possible charter for the DCI, the Agency, and the IC staff in accord with E.O. 11905. But, of course, it must be one which is politically realistic and responsible. Your suggestions should reflect these considerations.

3. Please forward your suggestions to [redacted] in the Office of Legislative Counsel, 7D35 HQ. It would be helpful if we could have these suggestions by 11 August 1976.

[redacted]
Anthony A. Lapham
General Counsel

[redacted]
George L. Cary
Legislative Counsel

Distribution:

DDI
DDO
DDA
DDS&T

Legislative Counsel

General Counsel
Inspector General
Comptroller
D/DCI/NIO
D/DCI/IC

NATIONAL SECURITY ACT OF 1947,
as amended

(61 Stat. 495, P.L. 80-253, July 26, 1947;¹
63 Stat. 578, P.L. 81-216, August 10, 1949;
65 Stat. 373, P.L. 82-165, October 10, 1951;
67 Stat. 19, P.L. 83-15, April 4, 1953;
68 Stat. 1226, P.L. 83-779, September 3, 1954;
70A Stat. 679, P.L. 84-1028, August 10, 1956;
78 Stat. 484, P.L. 88-448, August 10, 1964)

TITLE I—COORDINATION FOR NATIONAL SECURITY

NATIONAL SECURITY COUNCIL

SECTION 101. (a) There is established a council to be known as the National Security Council² (hereinafter in this section referred to as the "Council").

⁵⁰
U.S.C.A.
402(a)

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—³

- (1) the President;
- (2) the Vice President;⁴
- (3) the Secretary of State;
- (4) the Secretary of Defense;
- (5) the Director for Mutual Security [now abolished];⁵
- (6) the Chairman of the National Security Resources Board [now the Director of the Office of Emergency Preparedness];⁶ and
- (7) the Secretaries and Under Secretaries of other executive departments and of the military departments,⁷ the chairman of the Munitions Board [now abolished];⁸ and the

Chairman of the Research and Development Board [now abolished],⁹ when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.¹⁰

CENTRAL INTELLIGENCE AGENCY

⁵⁰
U.S.C.A.
403

SEC. 102. (a) There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence¹¹ who shall be the head thereof, and with a Deputy Director of Central Intelligence¹² who shall act for, and exercise the powers of, the Director during his absence or disability. The Director¹³ and the Deputy Director¹⁴ shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.¹⁵

(b)(1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1) of this subsection, the appointment to the office of Director, or Deputy Director, of a

commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.¹⁶

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.¹⁷

(c) Notwithstanding the provisions of section 652 [now 7501] of Title 5,¹⁸ or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States,¹⁹ but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—²⁰

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;²¹

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: *Provided, however*, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central

Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

(f) Effective when the Director first appointed under subsection (a) of this section has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946)²² shall cease to exist; and

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist.^{22A} Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.²³

TITLE III—MISCELLANEOUS

ADVISORY COMMITTEES AND PERSONNEL

SEC. 303. (a) The Secretary of Defense,²⁴ the Director of the Office of Defense Mobilization [now abolished],²⁵ the Director of Central Intelligence, and the National Security Council, acting through its Executive Secretary,²⁶ are authorized to appoint such advisory committees and to employ, consistent with other provisions of sections 171-171n, 172-172j, 181-1, 182-1, 411a, 411b, and 626-626d of Title 5,²⁷ and sections 401-403, 404, and 405 of this title,²⁸ such part-time advisory personnel²⁹ as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed \$50³⁰ for each day of service, as determined by the appointing authority.

50
U.S.C.
405

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of sections 231 [now 203],

July 1971

283 [now 205], or 284 [now 207] of Title 18,³¹ unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

EFFECTIVE DATE

SEC. 310. (a) The first sentence of section 202(a) and sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.³²

September 1970

CENTRAL INTELLIGENCE AGENCY ACT OF 1949,
as amended

(63 Stat. 208, P.L. 81-110, June 20, 1949;¹
64 Stat. 450, P.L. 81-697, August 16, 1950;
65 Stat. 89, P.L. 82-53, June 26, 1951;
68 Stat. 1105, P.L. 83-763, September 1, 1954;
72 Stat. 327, P.L. 85-507, July 7, 1958;
74 Stat. 792, P.L. 86-707, September 6, 1960;
78 Stat. 484, P.L. 88-448, August 19, 1964)

AN ACT

To provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DEFINITIONS

SECTION 1. When used in sections 403b-403j of this title,² the term—

- (a) "Agency" means the Central Intelligence Agency;
- (b) "Director" means the Director of Central Intelligence;
- (c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government.³

50
U.S.C.A.
403a.

SEAL OF OFFICE

SEC. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve,⁴ and judicial notice shall be taken thereof.

50
U.S.C.A.
403b.

PROCUREMENT AUTHORITIES

SEC. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections [2(c)(1), (2), (3), (4), (5), (6), (10), (12), (15), (17)],⁵ and sections 3, 4, 5, 6, and 10⁶ of the Armed Services

50
U.S.C.A.
403c.

Procurement Act of 1947 (Public Law 413, Eightieth Congress, second session)].⁷

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Director, the Deputy Director, or the Executive of the Agency.⁸

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.⁹

(d) The power of the Agency head to make the determinations or decisions specified in [paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947]¹⁰ shall not be delegable. Each determination or decision required by [paragraphs (12) and (15) of section 2 (c), by section 4 or by section 5 (a) of the Armed Services Procurement Act of 1947],¹¹ shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least six years following the date of the determination.

TRAVEL, ALLOWANCES, AND RELATED EXPENSES

⁵⁰
U.S.C.A.
403e. SEC. 4.¹² Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to duty stations¹³ outside the several states of the United States of America, excluding Alaska and Hawaii, but including the District of Columbia,¹⁴ shall—

(1) (A) pay the travel¹⁵ expenses of officers and employees of the Agency, including expenses incurred while traveling pursuant to authorized¹⁶ home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of sections 403a-403j¹⁷ of this title or any other Act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his

residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects¹⁸ of an officer or employee of the Agency, when he is absent from his post of assignment under orders, or when he is assigned to a post to which he cannot take or at which he is unable to use such furniture and household and personal effects, or when it is in the public interest or more economical to authorize storage; but in no instance shall the weight or volume of the effects stored together with the weight or volume of the effects transported exceed the maximum limitations fixed by regulations,¹⁹ when not otherwise fixed by law;²⁰

(E) pay the cost of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of an officer or employee of the Agency in connection with assignment or transfer to a new post, from the date of his departure from his last post or from the date of his departure from his place of residence in the case of a new officer or employee and for not to exceed three months after arrival at the new post, or until the establishment of residence quarters, whichever shall be shorter; and in connection with separation of an officer or employee of the Agency, the cost of packing and unpacking, transporting to and from a place of storage, and storing for a period not to exceed three months, his furniture and household and personal effects; but in no instance shall the weight or volume of the effects stored together with the weight or volume of the effects transported exceed the maximum limitations fixed by regulations,²¹ when not otherwise fixed by law;²²

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the ap-

propriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to any of the several States of the United States of America (including the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States) on leave of absence each officer or employee of the Agency who was a resident of the United States (as described above) at time of employment, upon completion of two years' continuous service abroad, or as soon as possible thereafter.²³

(B) While in the United States (as described in paragraph (3) (A) of this section) on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere as the Director may prescribe; and the time of such work or duty shall not be counted as leave.²⁴

(C) Where an officer or employee on leave returns to the United States (as described in paragraph (3) (A) of this section), leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States (as so described) and such time as may be necessarily occupied in awaiting transportation.²⁵

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned motor vehicle in any case in which it shall be determined that water, rail, or air transportation of the motor vehicle is necessary or expedient for all or any part of the distance between points of origin and destination, and pay the costs of such transportation. Not more than one motor vehicle of any officer or employee of the Agency may be transported under authority of this paragraph during any four-year period, except that, as a replacement for such motor vehicle, one additional motor vehicle of any such officer or employee may be so transported during such period upon approval, in advance, by the Director and upon a determination, in advance, by the Director that such replacement is necessary for reasons beyond the control of the officer or employee and is in the interest of the Government. After the expiration of a period of four years following the date of transportation under authority of this paragraph of a privately owned motor vehicle of any officer or employee

who has remained in continuous service outside the several States of the United States of America, excluding Alaska and Hawaii, but including the District of Columbia, during such period, the transportation of a replacement for such motor vehicle for such officer or employee may be authorized by the Director in accordance with this paragraph.²⁶

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad, in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 73b [now section 5731 (a)] of Title 5,²⁷ to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant;

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That, in his opinion, it is not feasible to utilize an existing facility;

(C) In the event of illness or injury requiring hospitalization of an officer or full time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(6) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(7) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time

of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than twelve months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payments and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.²⁸

GENERAL AUTHORITIES

SEC. 5. In the performance of its functions, the Central Intelligence Agency is authorized to ²⁹—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget,³⁰ for the performance of any of the functions or activities authorized under sections 403 and 405 of this title,³¹ and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of sections 403a-403j of this title³² without regard to limitations of appropriations from which transferred;

⁵⁰
U.S.C.A.
403f.

(b) Exchange funds without regard to section 543 of Title 31,³³

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the Act of June 30, 1932, as amended:³⁴ *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful

performance of the Agency's functions or to the security of its activities.³⁵

⁵⁰
U.S.C.A.
403g.

SEC. 6. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 403(d)(3) of this title³⁶ that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of section 654 of Title 5,³⁷ and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 947(b) of Title 5.³⁸

⁵⁰
U.S.C.A.
403h.

SEC. 7. Whenever the Director, the Attorney General, and the Commissioner of Immigration shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations,³⁹ or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed one hundred persons in any one fiscal year.⁴⁰

APPROPRIATIONS

⁵⁰
U.S.C.A.
403j.

SEC. 8. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions,⁴¹ including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service programs as authorized by section 150 [now section 7901] of Title 5;⁴² rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-send-

ing equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment, where such personnel are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of section 14 of Title 6;⁴³ payment of claims pursuant to Title 28; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to sections 259 and 267 of Title 40;⁴⁴ repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.⁴⁵

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds;⁴⁶ and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director⁴⁷ and every such certificate shall be deemed a sufficient voucher for the amount therein certified.⁴⁸

SEPARABILITY OF PROVISIONS

SEC. 9.⁴⁹ If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the

remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

SEC. 10. This Act may be cited as the "Central Intelligence Agency Act of 1949."

Approved June 20, 1949.

Central Intelligence Agency Act Footnotes

¹ Legislative history materials include:

H.R. Rep. No. 160, 81st Cong., 1st Sess., February 24, 1949; and
Sen. Rep. No. 106, 81st Cong., 1st Sess., March 10, 1949.

² These sections of Title 50 are the Central Intelligence Agency Act.

³ The 1949 Act also included a section 1(d): "'Continental United States' means the States and the District of Columbia." It was repealed by section 511(a) of the Overseas Differentials and Allowances Act (74 Stat. 792, P.L. 86-707, September 6, 1960). This repeal of the definition of "Continental United States" was accompanied by an amendment to the section which now is section 4 concerning the geographical application of that section. See Footnote 14. For a statement of the general background and purpose of the Overseas Differentials and Allowances Act see Footnote 13.

⁴ The Director has caused a seal of office to be made for the Central Intelligence Agency and President Truman approved it by his issuance of Executive Order 10111 (3 C.F.R., 1949-1953 Comp., p. 302, February 17, 1950):

Executive Order 10111 ESTABLISHING A SEAL FOR THE CENTRAL INTELLIGENCE AGENCY

WHEREAS section 2 of the Central Intelligence Agency Act of 1949, approved June 20, 1949 (Public Law 110-81st Congress), provides, in part, that the Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency of such design as the President shall approve; and

WHEREAS the Director of Central Intelligence has caused to be made and has recommended that I approve a seal of office for the Central Intelligence Agency the design of which accompanies and is hereby made a part of this order, and which is described in heraldic terms as follows:

SHIELD: Argent, a compass rose of sixteen points gules.

CREST: On a wreath argent and gules an American bald eagle's head erased proper.

Below the shield on a gold color scroll the inscription "United States of America" in red letters, and encircling the shield and crest at the top the inscription "Central Intelligence Agency" in white letters.

All on a circular blue background with a narrow gold edge;

AND WHEREAS it appears that such seal is of suitable design and is appropriate for establishment as the official seal of the Central Intelligence Agency;

September 1970